

1 A Yes.

2 Q The second being, and correct me if I say this
3 wrong, but the second being a 40 dB notch filter, and the
4 third being a connected pair of 30 dB notch filters; is that
5 correct?

6 A Well, that's the term used. The 40 dB device is
7 actually a tuned cavity, three-cavity filter; two three-
8 cavity filter. The final device that is installed today are
9 two three-cavity notch filtering devices.

10 Q As Mr. Turro says in here, in Turro Exhibit No.
11 32, that he initiated the operation -- initiated re-
12 transmission of the Monticello station directly off the air
13 at Fort Lee with inclusion of the phase canceler he
14 describes and subsequently replaced it with the second
15 device, and then subsequently replaced it with the third
16 device, did the replacements which took place make a
17 material change in the ability of the Fort Lee translator to
18 receive Monticello directly off the air?

19 A In my judgment, no, it did not affect the ability
20 to receive. You have to remember that you don't need a
21 filter. You can stand on the roof and you can receive
22 Monticello with the Sony radio, and a simple dipole antenna
23 without interference from the adjacent Channel WBAI.

24 The filtering devices simply increase the
25 reliability of that reception as a result of any long-term

1 fade which may occur in the signal.

2 Q And by "the roof," what did you refer to?

3 A Well, on the roof.

4 Q I mean, where? Which roof?

5 A The roof of the Mediterranean Towers Apartment
6 Building.

7 Q Thank you.

8 And is that the room you appeared in the now
9 famous video tape which is associated with Turro Exhibit No.
10 2?

11 A It is, yes.

12 Q Okay. And to your knowledge, Mr. Hurst, have the
13 transmission characteristics of WJUX remained essentially
14 the same throughout its operation other than temporary
15 interruptions due to the lightening strikes or something
16 like that?

17 A I'm not aware of any changes in equipment other
18 than the replacement of the damaged transmitting antenna at
19 WJUX.

20 Q Would that replacement of antenna that you refer
21 to have significantly improved the transmission capability
22 of the Monticello station in such a way to affect the
23 validity of your testing?

24 A No, the effective radiated power of WJUX remained
25 the same.

1 Q Okay, thank you.

2 Oh, in your video tape, Mr. Hurst, you make a
3 reference to a third generation. Do you recall that?

4 A It's exactly as what's described here. I was
5 referring to the fact that Mr. Turro over the course of time
6 has used three separate filters.

7 JUDGE STEINBERG: Okay, when you said exactly as
8 referred to here, you were placing your hand on Turro
9 Exhibit 32; is that correct?

10 THE WITNESS: In Exhibit 32, yes.

11 BY MR. C. NAFTALIN:

12 Q Okay, Mr. Hurst, there has been some discussion --
13 I won't even lead into it.

14 Can you very briefly give us a ballpark idea of
15 how many broadcast stations you have consulted with during
16 your career?

17 A Well, over a thousand.

18 Q Okay. And how many you have actually visited and
19 seen and personally viewed?

20 A Well, certainly 100 or more.

21 Q Okay. And, of course, during this more than 35
22 years you have had a lot of discussion on technical terms
23 involving broadcasting?

24 A That's correct.

25 Q Okay. Let me ask you, in your experience and in

1 your opinion, Mr. Hurst, if someone had remote control
2 facilities at a radio station to remotely control a
3 transmitter at another location, and they said to you their
4 remote control had the ability to raise and lower power
5 remotely to a transmitter, what would those terms mean to
6 you?

7 A Well, it would mean that the remote system had the
8 ability to vary either plate voltage or plate current,
9 depending upon the type of transmitter, to increase or
10 decrease correspondingly the power output of the
11 transmitter.

12 Q Okay. When you use the term "vary" or "increase"
13 or "decrease," in different terms does that mean adjust
14 power?

15 A Yes.

16 Q Okay. Is that in any way different from turning
17 power on and turning power off?

18 A Turning power on and off is totally different. In
19 a power on/power off, you cause the high voltage to cease,
20 and the amplifier quits amplifying.

21 Q Thank you.

22 Mr. Hurst, during your career have you acquired
23 any familiarity with TC-8 remote control units?

24 A I am familiar with them, yes.

25 Q In your experience, are they commonly or

1 uncommonly used in broadcast stations?

2 A Today, they are probably the largest seller of
3 remote control units. They are made by Burk Technology, and
4 are a very popular unit.

5 Q Okay. Is dial-up remote control something --

6 JUDGE STEINBERG: Before you do that, how about
7 the 19 -- October 1994 through '95, early '96 period, were
8 they common or uncommon?

9 THE WITNESS: They have been common for at least
10 the last decade, because in 1988, serious questions were
11 raised about their compliance with the rules, and the
12 Commission published a policy statement declaring that they
13 indeed under the correct circumstances were within the
14 framework of the rules.

15 And at that time my firm represented Burk
16 Technology, and were in part responsible for the Commission
17 reviewing the matter and making judgment. And since 1988,
18 Burk has sold a considerable number. And in a conversation
19 with Peter Burk recently, he informed me that approximately
20 30 percent, in his judgment, 30 percent of the stations
21 today utilized a form of dial-up remote control.

22 BY MR. C. NAFTALIN:

23 Q The 30 percent of stations you referred to that
24 utilize dial-up remote control, do you mean that on a
25 national basis?

1 A Yes.

2 Q Would they be used, to your knowledge, would -- or
3 in your understanding, would they be using dial-up remote
4 control as a primary means of remote controlling
5 transmitters?

6 A Yes.

7 Q Mr. Hurst, you prepared a statement in July of
8 1995 to submit to the FCC in connection with Mr. Turro's
9 translators, didn't you?

10 A I did.

11 Q Did you -- as part of preparing that statement,
12 did you go to New Jersey and New York and personally view
13 and inspect those stations?

14 A I accompanied Herbert D. Miller, Jr., Mr. Turro's
15 and Mr. Weis's attorney at the time, to New York and New
16 Jersey on July 6th, and we viewed all the facilities that
17 day.

18 Q Did anything unusual occur during the course of
19 your visit on July 6, 1995?

20 A Following our visit to Pomona on our way to
21 Monticello the program material on WJUX FM ceased. The
22 carrier was still on air. We could detect that on the car
23 radio. There was no programming. We went to the
24 transmitter site of WJUX, and determined no audio was being
25 received at the site.

1 Mr. Turro talked to people, someone; determined
2 that the telephone line had been cut or was no longer able
3 to provide the programming. And then throughout the
4 remainder of the day until we returned to Newark Airport
5 that night there was no audio on WJUX or Pomona or Fort Lee
6 as we drove through those areas back to the airport,
7 arriving there at about 6:30 p.m.

8 MR. C. NAFTALIN: Thank you, Mr. Hurst.

9 I have no further questions on direct.

10 JUDGE STEINBERG: Okay, let's take about five
11 minutes and you can huddle together if you want to.

12 (Whereupon, a recess was taken.)

13 JUDGE STEINBERG: Back on the record.

14 Who is going to being? Okay, Mr. Helmick.

15 CROSS-EXAMINATION

16 BY MR. HELMICK:

17 Q Mr. Hurst, we have to rely on layman's terms today
18 because we have no engineering people on our side.

19 Let me direct your attention --

20 JUDGE STEINBERG: Let me just direct myself to
21 that because I've heard some grumblings off the record about
22 the lack of engineering.

23 Last week we established a schedule for this week,
24 and last week we said that today, Thursday, we would have
25 Mr. Hurst and Mr. Hidle. Unfortunately the testimony of Mr.

1 Turro yesterday carried over to today, and we all, I think,
2 reasonably expected that we would have -- Mr. Turro would
3 finish up the morning and that we would have Mr. Hurst and
4 Mr. Hidle this afternoon; at least that's what I expected.

5 And so if there is lack of engineering help here
6 by -- to Universal and to the Bureau, it's hardly my fault.
7 Let me put it that way. If there is a -- I don't perceive
8 any unfairness because this is the day originally scheduled
9 for these two witnesses, and it could be reasonably
10 anticipated at the most that their testimony would be
11 postponed until this afternoon.

12 We didn't talk yesterday about having Mr. Hurst
13 and Mr. Hidle tomorrow. We had some testimony -- not
14 testimony -- some off-the-record discussion about having Mr.
15 Luna tomorrow. If you recall, I said have -- Mr. Luna can
16 go home, and the earliest he will come is Friday morning.

17 So I just want to put on the record that I don't,
18 if I thought that this was unfair, I would never have
19 continued proceeding. But I think that the lack of
20 engineering help on one side of the room is not the fault of
21 anybody in this room; any of the other parties to the room
22 or myself.

23 Now, if you want to address that, you can address
24 that. I have let you have it; now you can let me have it.

25 MR. HELMICK: Let's go forward, Your Honor.

1 MR. ARONOWITZ: Well, I would like to just say one
2 thing, just as to my understanding. And it was my
3 understanding that as late as yesterday, because I think it
4 might have been my grumblings that might have been heard in
5 the hallway, and my understanding was that, at least as of
6 this morning, that Mr. Turro would be testifying; that even
7 though we anticipated yesterday that Mr. Turro would testify
8 today and maybe even finish some time in the afternoon to
9 allow for the engineers, it was my impression that even as
10 early as this morning that we were uncertain as to whether
11 we would get through Mr. Turro today.

12 So in terms -- I just want it noted for the record
13 that --

14 JUDGE STEINBERG: It's noted.

15 MR. ARONOWITZ: -- we don't have an engineer on
16 our staff, and we have to make arrangements, and we worked
17 at the last minute after this morning's unfortunate
18 incident, we worked very hard to get somebody here, and we
19 just couldn't pull it off.

20 JUDGE STEINBERG: Okay.

21 MR. ARONOWITZ: I just want that noted for the
22 record.

23 JUDGE STEINBERG: It's noted.

24 Okay.

25 //

1 BY MR. HELMICK:

2 Q All right, Mr. Hurst, I want to direct your
3 attention to the April 13, 1995, request for use of the
4 temporary transmitting antenna for maintaining service by
5 WXTM, WJUX now.

6 The emergency antenna you used, you began using on
7 April 12, 1995; correct, sir?

8 A That's my understanding.

9 Q Would you explain in layman's terms were the
10 characteristics of the special temporary emergency antenna,
11 would you compare that emergency antenna to the antenna that
12 had previously been authorized and in place for WJUX?

13 JUDGE STEINBERG: Let me just let the record
14 reflect that the Bureau engineers arrived.

15 THE WITNESS: The temporary antenna, as described
16 in the April 13 letter was a single bay antenna, having a
17 gain of .5. The damaged antenna and the replacement antenna
18 were three-bay antennas, having a gain of 1.5588.

19 The transmitter also operated at lesser power.
20 The net result was an effective radiated power of
21 approximately one kilowatt as opposed to the normally
22 authorized six kilowatts.

23 BY MR. HELMICK:

24 Q What effect -- you say it would normally have an
25 authorized power of six kilowatts, but the temporary antenna

1 would have an effective radiated power of only one kilowatt.

2 Given the different gains and different types
3 antennas, what does this mean as far as the ability to
4 provide -- what did this do to the coverage of WJUX? Was it
5 significantly reduced?

6 A It would be a reduction in field strength of about
7 nine dB at any given location while they were operating on
8 the temporary antenna.

9 JUDGE STEINBERG: Silly question. You're
10 operating at six kilowatts regularly ERP, and you go down to
11 one kilowatt erp.

12 THE WITNESS: That's right.

13 JUDGE STEINBERG: Does that mean that your contour
14 only goes out one-sixth as far?

15 THE WITNESS: No, no, no. No, your approximate
16 reduction in service contour would be on the order of 30
17 percent. You would lose about 30 percent -- that's an
18 estimate -- of the one millivolt per meter contour.

19 JUDGE STEINBERG: Okay.

20 THE WITNESS: But the field strength does reduce
21 nine dB at any given location.

22 JUDGE STEINBERG: Would the reduced power of
23 operation at one kilowatt, would the one mill contour cover
24 Pomona?

25 THE WITNESS: No. No, the one mill does not cover

1 Pomona.

2 Now, you're speaking of the one mill from
3 Monticello?

4 JUDGE STEINBERG: Yes.

5 THE WITNESS: Yes. No, it doesn't get there now.
6 It's approximately 100 micro volts today, and has been all
7 along based on the measurements we made in October of this
8 year.

9 JUDGE STEINBERG: Thank you.

10 THE WITNESS: Okay.

11 BY MR. HELMICK:

12 Q Is an eight kilohertz phone line sufficient for
13 remote control telemetry purposes?

14 A Yes.

15 Q No question about it?

16 A I believe it is. It would depend, I think, on
17 whether you are using digital on analog. It would work for
18 analog. I don't know that it would work for digital.

19 Q Is it unheard of to remotely control broadcast
20 facilities with that type of line?

21 A You're talking now just being able to conduct
22 control functions of equipment?

23 Q Yes.

24 A No, it's not unheard of.

25 Q Thank you.

1 Could an eight kilohertz phone line, I know it
2 wouldn't be used on a regular basis, but would it be capable
3 of being used for transmit audio programming?

4 A It would sound like a reproduction of a telephone
5 conversation.

6 Q But in a pinch you could put audio programming on
7 that circuit, an eight kilohertz circuit?

8 A It would be very noticeable.

9 JUDGE STEINBERG: You mean the audio quality would
10 be so poor that it would be noticeable?

11 THE WITNESS: Yes, it would sound like you were
12 reproducing a telephone conversation that someone had called
13 into a studio, and you've heard that before.

14 MR. HELMICK: That's correct.

15 (Pause.)

16 BY MR. HELMICK:

17 Q In your engineering statement, both your original
18 Turro Exhibit 2, and your supplemental statement which has
19 been identified as Turro Exhibit 35, there is a discussion
20 of this phenomenon on top of the roof at Mediterranean
21 Towers, this hot spot.

22 When you were there in 1965 -- July 6 of -- excuse
23 me -- 1995, excuse me -- was this the first occasion when
24 you became aware of this hot spot on top of the roof?

25 A It was the first time I had been to the roof and

1 observed the hot spot.

2 Q You say you walked around the roof. What was the
3 reception that you were able to receive in the spots on the
4 roof, other than that hot spot?

5 A Using simply the radio operated by battery power
6 and a vertical whip antenna, the reception at other spots
7 was poor.

8 Q Poor.

9 Would that be true for both -- were you looking at
10 the reception from Pomona to Fort Lee or from Monticello to
11 Fort Lee -- or from Monticello to Fort Lee, in addition to
12 Pomona/Fort Lee?

13 A No, I was looking on July 6th at reception from
14 Monticello to Fort Lee.

15 Q Okay. What are the dimensions of this hot spot?

16 A Two to three feet square.

17 Q Beyond that two to three feet square box, the
18 reception is poor?

19 A It is degraded.

20 Q In your professional experience, sir, what
21 circumstances -- is there anything up on that roof that
22 would explain a hot spot of two to three feet square on a
23 con -- well, let me ask you this.

24 This hot spot, is it on a continuous basis?

25 A It was --

1 Q Continually good reception?

2 A It has been reported to me that it is, and when I,
3 on both occasion that I was there, the reception was very
4 good and it was in exactly the same spot.

5 Q Exactly the same spot.

6 Now, in your professional experience, sir, is that
7 unusual, highly unusual? Had you ever seen anything like
8 that before?

9 A I have seen hot spots like that before.

10 Q Where there is continuous over a long period of
11 time in a two to three feet area?

12 A Yes.

13 Q Is there anything on that roof that would explain
14 why the signal should be so good at that particular spot?
15 Any reflector device?

16 A Not that I see, no.

17 Q Would it be possible, in your experience, to
18 locally generate a signal to simulate reception of the
19 Pomona or Monticello facilities?

20 A No, not that would exhibit itself like that.

21 Q What if I were to send a generator frequency, say
22 the Monticello frequency, 99.7, generate a signal at Fort
23 Lee and sent it up to the room via a telephone line into a
24 dummy load?

25 A As you got near the dummy load, you would be able

1 to detect it.

2 Q You would get a good signal near the dummy load,
3 right, as it dissipates the signal?

4 A Theoretically, yeah.

5 JUDGE STEINBERG: Why don't you tell us what a
6 dummy load is, please?

7 THE WITNESS: A dummy load is a resistive load
8 which is utilized normally to feed a transmitter for test
9 purposes to be able to determine the performance of the
10 transmitter as its operating into a known precision load.

11 The hypothesis you give, sir, would require, based
12 on my observation, that the dummy load be visible at the hot
13 spot.

14 JUDGE STEINBERG: What if it were right underneath
15 the roof? Probably it's a built up roof there on the
16 Mediterranean Towers?

17 THE WITNESS: It's a concrete slab.

18 JUDGE STEINBERG: It's a concrete slab?

19 THE WITNESS: Yes.

20 JUDGE STEINBERG: What if the dummy load were --
21 concrete is usually six -- not more than six inches. What
22 if were underneath the concrete? Reenforced concrete?

23 THE WITNESS: It appears to be reenforced
24 concrete.

25 //

1 BY MR. HELMICK:

2 Q Is there tar on top of that roof?

3 A Yes.

4 Q Gravel?

5 A Tar and gravel.

6 Q What if somebody put a telephone line on top of
7 the roof underneath the tar and gravel and terminated that
8 telephone line into a dummy load?

9 A I don't believe, based on what I saw, that that
10 would have been possible to result in the hot spot I was
11 able to detect and observe.

12 Q What is your basis for that, sir?

13 A Just my judgment.

14 Q Your judgment.

15 Did you ever check for a possibility that the
16 signal might have been generated by generating, locally
17 generating a signal into a dummy load? Did you ever check
18 that?

19 A No.

20 Q Now, you say use of TC-8, you answer, are fairly
21 common with broadcast stations; isn't that correct, sir?

22 A That's correct.

23 Q How many translator facilities have you seen
24 equipped with TC-8 units?

25 A I don't believe I've seen any other than --

1 Q Other than Mr. Turro's facility at Fort Lee?

2 A That's correct.

3 Q How would you describe that facility, sir?

4 I mean, is it -- would you say it's unique?

5 A I would say that the method of receiving the
6 signal over the air, reducing its noise content, processing
7 the audio is -- is not a common method of translating. It
8 is within the rules, and I understand it's being done more
9 often today than it was 10 years ago.

10 Q What does a typical translator facility cost these
11 days?

12 MR. C. NAFTALIN: Objection as to relevance.

13 JUDGE STEINBERG: Mr. Helmick?

14 MR. HELMICK: Well, I want to compare the typical
15 facility as opposed to what Mr. Turro's facility cost.

16 JUDGE STEINBERG: I will overrule it. See where
17 it goes.

18 THE WITNESS: Well, I would estimate the average
19 cost is around \$20,000.

20 BY MR. HELMICK:

21 Q Is that on the high end, or you buy used
22 equipment, right? That's with new equipment?

23 A No, that's with new equipment.

24 Q Say if you wanted to -- you know, used equipment
25 is fairly available, fairly readily available, isn't it?

1 A I have no knowledge.

2 Q All right. What was would be your estimate as to
3 with the facilities Mr. Turro has in place in Fort Lee, New
4 Jersey, what would you guesstimate to be the cost of the
5 facility like that with the various antennas and
6 transmitters and other devices?

7 A I really have no direct knowledge. I have never
8 discussed the amounts of money he has spent on that
9 facility. it may be 40,000. I don't know. That's only a
10 guess.

11 Q How would you describe the facilities in place at
12 Pomona? Are they typical facilities for a translator?

13 A Again, the facility processes the audio as it does
14 in Fort Lee. That's the difference between his translator
15 setup and a translator that is a receiver/transmitter unit
16 all in one.

17 Q Mr. Hurst, when you were present on this July 6,
18 1995, event where the cable was cut, you were with -- who
19 was with you?

20 A Dan Miller, Herbert D. Miller, Jr., who is known
21 as Dan Miller, formerly of Koteen & Naftalin, and Jerry
22 Turro.

23 Q Did you hear or do you have any knowledge of
24 whether Mr. Turro or someone else employed by Mr. Turro at
25 Jukebox Radio made a request to the Bergen County Emergency

1 Management Office to authorize the use of the microwave link
2 at Dumont on the basis that there was some phoney weather
3 emergency?

4 A I am not aware of this.

5 Q You have no knowledge of that?

6 A No knowledge of this.

7 MR. HELMICK: All right, Your Honor. I'm done.

8 JUDGE STEINBERG: I have just one follow-up
9 question. When Mr. Helmick was asking you about the eight
10 kilohertz phone line and he asked you whether it was
11 sufficient for telemetry purposes, and you said it would
12 work for an analog but you didn't know if it would work for
13 digital, and then he went to could the eight kilohertz be
14 used to transmit audio, and you said, yeah, but the quality
15 would be like someone talking on the telephone.

16 What if you -- would the eight kilohertz phone
17 line be capable of transmitting both the telemetry and the
18 audio?

19 THE WITNESS: One would not normally do that
20 because of the limited band width, and the fact that the
21 control as an analog would also have to be audible, I think.

22 JUDGE STEINBERG: Okay. Mr. Aronowitz, do you
23 need any time?

24 MR. ARONOWITZ: I'm going to find out.

25 JUDGE STEINBERG: Okay, we'll go off the record.

1 (Whereupon, a recess was taken.)

2 JUDGE STEINBERG: Let's go on the record, please.

3 Mr. Aronowitz?

4 CROSS-EXAMINATION

5 BY MR. ARONOWITZ;

6 Q Mr. Hurst, my name is Alan Aronowitz, with the
7 FCC, and I'm just going to ask you a couple of questions.

8 I am now looking at your supplemental statement
9 that was handed to us -- when did we get this?

10 JUDGE STEINBERG: Yesterday.

11 BY MR. ARONOWITZ;

12 Q Okay, Turro Exhibit 35, let's do it that way. And
13 you say that your observations -- this statement is based on
14 your observations of July 6, 1995.

15 My question to you is did you have occasion to
16 visit Mr. Turro's facilities prior to July 6, 1995?

17 A July 6, 1995, was the first time I visited the
18 Mediterranean Tower.

19 Q And did you -- when did you begin representing Mr.
20 Turro, approximately?

21 A Probably 1983 or '84.

22 Q Okay. And the reason -- were the reasons that you
23 visited Mr. Turro's facilities on July 6, 1995, to assist
24 him in a response to an FCC inquiry, if you know?

25 A I was asked to make the trip with Dan Miller to

1 assist Dan and Jerry in a response to the FCC letter of
2 inquiry.

3 Q So when you say -- when you testify as to the
4 initial installation during the period of October 25, 1994
5 to January 10, 1995, how do you know it was installed there?

6 A Based solely on what I was told by Jerry Turro.

7 Q Okay, thank you.

8 And in your statement you say that -- well, do you
9 have a copy of your statement in front of you?

10 A Yes, I do.

11 Q Okay. On the bottom of the first page, I will
12 read, or you might want to read the paragraph that begins,
13 "In my statement of July 25" on the first page, read that
14 whole paragraph to yourself, and take your time, and let me
15 know when you are finished.

16 (Witness reviews document.)

17 THE WITNESS: All right, I've read it.

18 BY MR. ARONOWITZ;

19 Q And it says that you incorrectly stated that --
20 and I will just paraphrase this. You had incorrectly stated
21 on page 2 of an earlier document that the initial
22 installation utilized a notch filtering system, and then you
23 describe the notch filtering system. Then you say, "I
24 realize now that during that period the microwave filter
25 company phase canceler was in use."

1 Is that correct?

2 A That is correct.

3 Q And how did you come to this new realization?

4 A Well, on my visit during October 16 and 17, in the
5 discussions that John Hidle and I had with Mr. Turro he told
6 us he had used the phase canceler. At that point it didn't
7 mean anything to me until just this past Tuesday I read that
8 earlier statement and realized that I had referred to the
9 second filter that he had acquired in May of 1995. And I
10 was -- I was surprised to see that I had stated incorrectly
11 in my earlier statement the filter that was in use.

12 Q And you've testified that over a period of time
13 Mr. Turro changed these filters, or filtering systems?

14 A Mr. Turro has told me that he changed them, yes.

15 Q Okay. Do you have personal knowledge?

16 A I know that on July 6th the EMR three-cavity
17 filter was installed. I know that on October 16th and 17th
18 of this year the six-cavity filter, or two three-cavity
19 filter was installed.

20 Q And, again, this is all based on what Mr. Turro
21 has told you as well as the observations that you have
22 spoken about.

23 A On two occasions.

24 Q You have seen no independent, other independent
25 means of this?

1 A No.

2 Q Okay. Earlier you testified, I believe you
3 testified that -- or is it possible -- was it possible to
4 receive the Monticello signal at the Fort Lee translator
5 without the use of a filter, any filter?

6 JUDGE STEINBERG: You've got to give a date.

7 BY MR. ARONOWITZ;

8 Q When you were there on June 6th?

9 A July 6th.

10 Q July 6th. Excuse me. July 6, 1995.

11 A It was.

12 Q It was possible without the filter.

13 Would it be possible to receive that signal
14 without the hot spot?

15 A In my observation and the locations I listened to
16 the signal, you would to get a good quality audit need some
17 sort of filtering device at the locations I have
18 investigated other than the hot spot.

19 Q You would need a filter -- okay.

20 So a filtering device would overcome the problems,
21 any problems in receiving -- any problems, if any, in
22 receiving the signal at Monticello at Fort Lee, the
23 Monticello signal at Fort Lee?

24 A Would overcome the first adjacent channel WBAI
25 signal.

1 Q Okay. Absent the hot spot, would you still
2 receive a good quality Monticello signal?

3 A With a filter?

4 Q With a filter.

5 A Yes.

6 Q Without a filter?

7 A Not at any locations I saw.

8 Q Okay, thank you.

9 JUDGE STEINBERG: Let me just -- is a phase
10 canceler, microwave filter company phase canceler, would
11 that be a filter that would be capable of eliminating the
12 WBAI interference on July 6, 1995?

13 I just thought I would save you a question on
14 redirect.

15 THE WITNESS: Yes. The phase canceler, as Mr.
16 Hidle will testify, provides approximately 45 dB suppression
17 of the WBAI signal, and at locations we measured it would
18 only require anywhere from 13 to 20 dB suppression.

19 So it's my judgment that using the phase canceler
20 during the period of October 25, 1994 through January 10,
21 1995, Mr. Turro was able to adequately receive WJUX
22 Monticello at Fort Lee.

23 BY MR. ARONOWITZ;

24 Q But that would only be at the hot spot?

25 A No, I didn't say that.